

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

D.A. No. 2089/98

(3)

New Delhi this the 15th day of October, 1998.

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

1. Imtiyaz Ali Khan
S/O Sh.Kasar Ali Khan
2. Moh.Imaren
S/O Sh.Abdul Aziz
3. Mukaram Hussain
S/O Sh.Mustak Hussain
4. Sanjay Kumar
S/O Sh.Om Prakash
5. Dharam Pal
S/O Sh.Asha Ram
6. Mahboob Ali Khan
S/O Sh.Yakub Ali Khan
(All Parcel Porters, at N.Rly, Bareilly)Applicants
(By Advocate Shri Yogesh Sharma)

Versus

1. Union of India through the
Secretary,
Ministry of Railway,
Rail Bhawan, New Delhi.
2. The General Manager,
Northern Railway, Baroda House,
New Delhi.
3. The Divisional Railway Manager,
Northern Railway, Moradabad Divn.,
Moradabad.
4. The Secretary,
Jan Sewak Sehkari Shram Samvida Samit,
46, Jawahar Nagar, Moradabad(UP)

...Respondents

ORDER (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

The applicants who are working as Parcel Porters at various stations under the Northern Railways(Moradabad Division) with Respondent No.4, seek certain directions to the respondents to extend the same benefits to the applicants as given by the Hon'ble Supreme Court in National Federation of Railway Porters, Vendors and Bearers Vs. Union of India and Others(Writ

(A)

Petition (Civil) No.507 of 1992 with other connected Writ Petitions dated 9.5.1995. Learned counsel has also relied on the judgement of this Tribunal in Niranjan and Others Vs. General Manager (N.R.) and Others (OA 343/1997) dated 23.2.1998. He has also submitted that the applicants have submitted representation dated 6.8.98 addressed to the General Manager (NR), Baroda House, New Delhi, Respondent No.2 in the OA in which he has submitted that no reply has been given so far. Learned counsel has submitted that he would be satisfied if a direction is given to the respondents to consider the representations in the light of the aforesaid Supreme Court and Tribunal's judgements and extend the benefits to the applicants if they are otherwise eligible under the Rules.

2. In view of the above facts and circumstances and the submissions made by Shri Yogesh Sharma, learned counsel, this OA is disposed of at the admission stage itself with the following directions to the respondents:—

Respondents are called upon to consider the representations made by the applicants dated 6.8.98 in the light of the judgement of the Supreme Court in National Federation of Railways Porters, Vendors and Bearers Vs. Union of India and Others (Writ Petition (Civil) No.507 of 1992 with other connected Writ Petitions dated 9.5.1995 and the other judgements referred to above and pass a reasoned and speaking order with intimation to the applicants within a period of four months from the date of receipt of a copy of this order.

No order as to costs.

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member (J)